

REAL ESTATE PLAN

BERRYESSA CREEK ELEMENT OF THE COYOTE AND
BERRYESSA CREEKS PROJECT,
A CALIFORNIA FLOOD CONTROL PROJECT
IN SUPPORT OF THE
GENERAL REEVALUATION REPORT

29 November 2013

PREPARED
BY THE
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Real Estate Plan

BERRYESSA CREEK ELEMENT OF THE COYOTE AND BERRYESSA CREEKS PROJECT, A CALIFORNIA FLOOD CONTROL PROJECT

1. STATEMENT OF PURPOSE:

The purpose of this Real Estate Plan (REP) is to provide background and details in support of the General Revaluation Report (GRR) for the Berryessa Creek Element of the Coyote and Berryessa Creeks Project, a California Flood Control Project (Project). This REP focuses on the National Economic Development Plan (NED Plan) and is to be used for planning purposes only. The Project, as authorized by Congress in 1990, is a single-purpose flood risk management project that includes mitigation of adverse effects. The Berryessa Creek element of the authorized project was authorized in 1990, but was not constructed.

The Project, as shown in Exhibit A, begins 600 feet upstream of the upstream face of Old Piedmont Road to 50 feet downstream of the downstream face of the Calaveras Boulevard Bridge.

The GRR and its accompanying appendices presents the results of efforts by the U.S. Army Corps of Engineers (Corps) in partnership with the Santa Clara Valley Water District (SCVWD) to define pertinent engineering, environmental, social, and economic concerns at a critical stage of the planning process.

The analysis of the real estate requirements necessary to support the various alternatives is discussed in detail in the GRR. All alternatives were screened out, with the exception of alternative 2A/d, which is the NED Plan. This REP specifically identifies the real estate requirements in support of the NED Plan.

2. PROJECT AUTHORITY:

A study of Coyote and Berryessa Creeks was initiated to focus on flood and related problems and solutions along lower Coyote Creek, downstream of Interstate 880, and on Berryessa Creek. The study was authorized in the Flood Control Act of 1941, Pub. L. No. 77-228, § 4, 55 Stat. 638 (1941), and provides:

“Section 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control to be made under the direction of the Chief of Engineers, in drainage areas, the United States and its territorial possessions, which include the following name localities: Coyote River and tributaries, California; San Francisquito Creek, San Mateo and Santa Clara Counties, California; Matadero Creek, Santa Clara County, California; and Guadalupe River and tributaries, California.”

In June 1945, the Chief of Engineers commenced a flood control investigation of survey scope that combined the study of all the streams draining into San Francisco Bay south of the Dumbarton Narrows. This included the Guadalupe River, Coyote Creek, San Francisquito

Creek, Berryessa Creek, and numerous other creeks addressed collectively as Guadalupe River and Adjacent Streams. Various studies, including the Guadalupe River Interim Feasibility Report, were completed under that authority.

In December 1989, the Chief of Engineers transmitted an Interim Feasibility Report for Coyote Creek and Berryessa Creek to Congress. The Coyote and Berryessa Creeks Project, a California flood control project, was authorized for construction by the Water Resources Development Act of 1990, Pub. L. No. 101-640, § 101(a)(5), 103 Stat. 4604 (1990), which states:

“(a) Projects With Report of the Chief of Engineers. -- Except as provided in this subsection, the following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in the respective reports designated in this subsection:

(5) Coyote and Berryessa Creeks, California. -- The project for flood control, Coyote and Berryessa Creeks, California: Report of the Chief of Engineers, dated February 7, 1989, at a total cost of \$56,300,000, with an estimated first Federal cost of \$39,000,000 and an estimated first non-Federal cost of \$17,300,000.”

In November 1993, Congress authorized an exception to Section 902 of the Water Resources Development Act of 1986. See National Defense Authorization Act for Fiscal Year 1994, Pub. L. No. 103-160, § 2855, 107 Stat. 1547 (1993).

3. PROJECT DESCRIPTION:

The Berryessa Creek watershed is located in Santa Clara County, California south of San Francisco Bay. Berryessa Creek is a tributary to the Coyote Creek system, which flows into the southernmost end of San Francisco Bay. Berryessa Creek runs through portions of unincorporated Santa Clara County and the cities of San Jose and Milpitas, before emptying into Coyote Creek which flows in a northwesterly direction from Milpitas into San Francisco Bay. Both cities are located along Interstate Highway 680. Berryessa Creek enters the Project study area from a foothill area located east of Old Piedmont Road and then runs westerly through suburban residential neighborhoods in San Jose to Morrill Avenue, then north under Cropley Avenue, then northwesterly to an under crossing of Interstate Highway-680 then north into the city of Milpitas, passing through a densely developed industrial and commercial area, to the under crossing of Calaveras Boulevard, and then to the north boundary of the Project study area.

The NED Plan consists of a 0.01 exceedance probability event level of performance, with 50 percent assurance, downstream of the I-680 culvert. Alternatively, based on interpolation, at an assurance level of 90 percent, the NED Plan would be able to contain the equivalent of about a 0.03 exceedance probability event. The NED Plan consists of an earthen trapezoidal channel section with varying bottom width and 2H:1V sideslopes. Free-standing concrete floodwalls are to be constructed in the immediate vicinity of Montague Expressway as well as between the Piedmont Creek confluence and Calaveras Boulevard.

Concrete floodwalls will include 42-inch safety railing for any heights above 2 feet. An access road will be located along the left bank channel slope downstream of Yosemite Avenue. Transitions structures at Montague Expressway, the Union Pacific Railroad Company (UPRC)

culvert, Los Coches Street, and Calaveras Boulevard would be constructed, and are regarded as project features to be cost shared as an item of construction. These transition structures (with variable sloping wingwalls) will extend for 50 to 75 feet upstream or downstream of the bridge face. All bridge and culvert crossings remain in their existing configuration and will not be impacted, with the exception of the UPRC wooden trestle located at station 206+05, which is to be replaced with a triple barrel concrete box culvert, and cost-shared as a project cost in accordance with 33 USC 701p.

Storm drains entering the channel, or running parallel to the channel, situated within the proposed channel excavation areas would be relocated. A more detailed project footprint, including temporary construction easements, staging areas, and access routes, is presented in Exhibit A.

4. DESCRIPTION OF LANDS, EASEMENTS, RIGHTS OF WAY, RELOCATIONS AND DISPOSALS FOR NED PLAN

The Santa Clara Valley Water District (SCVWD) is the Project sponsor and will acquire the minimum interests in real estate to support the construction, operation and maintenance of the Project. The general real estate requirements for the Project are the acquisition of channel improvement easements (CIE), flood protection levee easements (FPLE) and temporary work area easements (TWA), and use of existing rights-of-way (ROW) owned and/or controlled by the SCVWD.

The real estate interests required for and/or impacted by the Project are owned and/or held by private owners, county governments and/or municipalities, public and private utilities and the UPRC as shown in the tract register on page 8 of this REP.

Some properties required for and/or impacted by the Project are located within, adjacent to or close to the SCVWD's existing ROWs along Berryessa Creek, primarily downstream of I-680. Currently, SCVWD is fee owner of 15.88 acres of the required twenty-five (25) acres for permanent project acquisition needs. The remaining 9.12 acres required for CIEs are owned as identified above. Twenty-five (25) acres of land will be required for CIEs, 11.91 acres will be required for TWAEs, and 2.08 acres for FPLEs for the required floodwalls. Of the nine (9) parcels that will be encumbered by TWAEs, four (4) parcels will be required for staging areas consisting of 7.6 acres and five (5) parcels will be required to support construction consisting of 4.31 acres. (Exhibit A).

The CIEs begin at station 235.00 and continue downstream to station 129.00 as illustrated in Exhibit A Overview, which includes maps.

Following is a general description of the construction impacts to real and personal property resulting from the construction, operation and maintenance of project design features:

- **FLOODWALLS**

Free-standing concrete floodwalls will be constructed within the existing Berryessa Creek channel in the immediate vicinity of Montague Expressway as well as between the Piedmont Creek confluence and Calaveras Boulevard. Concrete floodwalls would include 42-inch safety railing for any heights above 2 feet. The real estate rights will be secured via flood

protection levee easements. A total of 2.08 acres of land will be required affecting four parcels within the project footprint.

- **BRIDGE TRANSITIONS**

The NED Plan proposes the construction of transitions from the proposed flood walls to the existing wingwalls at Montague Expressway, UPRC Culvert, Los Coches St, and Calaveras Blvd. The purpose of these wingwalls is to provide transitions between the proposed channel/flood walls and the existing bridge structures in order to provide for the continued structural integrity of the bridge foundations and abutments. Additionally, abutment and pier protection is planned for the bridges at Ames Avenue and Yosemite Drive in order to protect the piers/abutments from the increased flows and from potential undermining that may result from the planned deepening of the channel at these locations.

A review of the Authorized Project (The Coyote and Berryessa Creeks, California, Chiefs Report dated February 7, 1989 and the November 1987 Coyote Creek and Berryessa Creek Interim Feasibility Report) was conducted to determine if financial responsibility for the construction of these bridge transitions and related features, identified herein and in the GRR as project features, had previously been determined. While LERRDs costs are included in the cost estimate, no additional detail is provided in either the November 1987 Interim Feasibility Report, in the February 7, 1989 Chief's Report or in the corresponding project descriptions and construction costs breakdowns to suggest that these bridge transitions were authorized as LERRDs relocations rather than project features.

Accordingly, based on the functions and purposes of the bridge transitions and features proposed for construction, and the provisions of ER 1105-2-100 (E-21)(c)(2) (22 Apr 2000) and EP 1165-2-1 (10-4)(a)(1) (30 July 1999), these features have been regarded as items of construction, included in the Engineering Cost Estimate attached to the GRR as part IV of Appendix B, and are subject to standard cost-sharing rules.

Notwithstanding the foregoing, the construction, operation and maintenance of these project features must be supported by both temporary and permanent real estate acquisitions which are project LERRDs and the responsibility of the SCVWD. These acquisition costs are included in the 01 account of the Cost Estimate Certification, and any unanticipated acquisitions needs that may arise in this regard are covered within 30% 01 real estate acquisition cost contingency discussed in Section 12 of this REP and Exhibit B, attached hereto. The non-Federal sponsor will be responsible for operating and maintaining these features.

- **RAILROAD BRIDGE TRESTLE**

After the replacement of the existing railroad trestle at station 206.0+05, a triple box culvert would be installed. The concrete culvert will have openings of approximately 10-ft x 11-ft and will be cast-in-place with steel reinforcing. New railroad tracks will need to be re-built on top of the new triple box culvert. New ballast rock will be brought in along with new primary rails and wooden ties. These construction costs are included in the Engineering Cost Estimate attached to the GRR as part IV of Appendix B.

To construct the triple box culvert, the SCVWD will be required to acquire a TWAE and a CIE from the property owner, Union Pacific Railroad Corporation (UPRC). The triple box

culvert will require a CIE real estate right for maintenance and operation. The SCVWD will be responsible for maintaining the box culvert.

Structure	NED Proposed Work (2A/d)	Meets ER 1105-2-100 (E-21)(c)(2) criteria for consideration as a construction cost: “protection by reinforcement, underpinning, or construction to ensure the structural integrity of the bridge foundations, piers, or abutments” (Project Cost)	Cost Allocation
Montague Expressway Culvert (Sta 210+90)	Tie floodwall into existing headwall at upstream face of structure; Construct transitions to existing wingwalls	Yes	Project Cost
UPRC Railroad Trestle (Sta 206+05)	Remove existing timber trestle; Construction triple 15-foot span by 12-foot rise concrete box culvert with wingwalls	N/A (Railroad Bridge – 33 USC 701p)	Project Cost
UPRC Railroad Culvert (Sta 186+80)	Construct transition to existing wingwalls	N/A (Railroad Bridge – 33 USC 701p)	Project Cost
Los Coches Street Bridge (Sta 137+50)	Construct transition to existing structure	Yes	Project Cost
Calaveras Boulevard Bridge (Sta 131+05)	Construct transition to existing structure	Yes	Project Cost

- **STORM DRAIN OUTLETS, TELECOMMUNICATION CABLE, OVERHEAD TELEPHONE LINE, UNDERGROUND ELECTRICAL CONDUITS, SANITARY SEWER SYSTEM, AND A WATERLINE**

Storm drain outlets, power poles, telecommunication cable, telephone conduits, underground electrical conduits, sanitary sewer systems, and a waterline along the proposed channel alignment will be impacted and relocated within CIE. A complete inventory of these impacted utilities/facilities is discussed below in Section 18. An Attorney’s Preliminary Opinion of Compensability was prepared on November 9, 2012, and the preliminary conclusions as to compensability are set forth herein and in Section 18 of this REP.

No new lands are required for these relocations as they will be either protected in place or placed within their current easements. All relocation costs are located in the 02 account of the MCACES

There are three storm drain outlets owned by the City of Milpitas that enter into the Berryessa Creek Channel that will be impacted by this project. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. These outlets will be reconstructed at the same location within the proposed trapezoidal channel. Preliminary evidence indicates these storm drain outlets will be compensable utility/facility relocations.

There is one storm drain system owned by the City of San Jose that will be relocated. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of

this REP. Due to lack of information at this time, it is unknown whether the City of San Jose has a real property interest in this utility/facility. Preliminary evidence indicates the storm drain system is a non-compensable relocation.

There is one underground telecommunications cable owned by Comcast. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. The cable runs parallel to the Berryessa Creek Channel which will be removed during construction but relocated permanently within the channel improvement easement. Due to lack of information at this time, it is unknown whether Comcast has a real property interest in this utility/facility. Preliminary evidence indicates the cable is a non-compensable relocation.

There is one overhead telephone line owned by AT&T that will be relocated. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the overheard telephone line will be compensable utility/facility relocation.

There are ten underground electrical conduits owned by PG&E that will be relocated. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the electrical conduits will be compensable utility/facility relocations.

There are four sanitary sewer systems owned by the City of Milpitas that enter into the Berryessa Creek Channel that will be impacted by this project. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. These outlets will be reconstructed at the same location within the proposed trapezoidal channel. Preliminary evidence indicates these sanitary sewer systems will be compensable utility/facility relocations.

There is one waterline that is owned by the City of Milpitas and lies within the Berryessa Creek Channel that will be impacted by this project. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the waterline will be compensable utility/facility relocation.

- **STAGING AREAS**

Four staging areas will be required for the NED Plan, and will be supported by TWAEs. The underlying real estate owners of the proposed staging areas are shown in the table below. These staging areas will be located at stations 135.0 170.0-175.0, 195.0 and 235.0 as further shown in Exhibit A and listed in the table below:

	Staging Areas Impacted Properties	
Station Location	Ownership	Acreage
135.0	JSC 7 MS HOLDINGS INC.	.893
Station Location	Ownership	Acreage

170.0-175.0	MARZETTI COMPANY	1.492
195.0	UNION PACIFIC RAILROAD CO.	1.436
235.0	SAN JOSE WATER WORKS	3.777

- **ACCESS ROADS/HAUL ROADS**

A 15-foot access road on both sides of the channel will be acquired and incorporated in the CIEs as shown in Exhibit A. The access road will start beginning at station 237.0 and continue to station 129.0 at Calaveras Blvd. These access roads will travel on both sides of the channel improvement easement and will provide access for construction, operations and maintenance of the channel. The underlying owner is the Santa Clara Valley Water District.

APN	OWNER	PARCEL AREA	F.L.P.E.	T.W.A.E.			CIE	Total Sum
		ACRES		Veg	Stage	Constr		by APN
			ACRES	ACRES	ACRES	ACRES	ACRES	ACRES
	1	2.05					0.172	0.172
	2	14.74			0.893			0.893
	3	1.66	0.377				1.283	1.660
	4	11.81	1.512				6.970	8.482
	5	1.31				1.307	0.365	1.672
	6	0.86	0.041			0.632	0.140	0.813
	7	2.95			1.492		0.200	1.692
	8	1.87					1.007	1.007
	9	0.66				0.395	0.173	0.568
	10	3.60					0.009	0.009
	11	0.28					0.014	0.014

APN	OWNER	PARCEL AREA	F.L.P.E.	T.W.A.E.			CIE	Total Sum
		ACRES		Veg	Stage	Constr		by APN
			ACRES	ACRES	ACRES	ACRES	ACRES	ACRES
	12	0.66					0.065	0.065
	13	1.14					0.041	0.041
	14	0.68				0.293	0.118	0.411
	15	5.11					0.227	0.227
	16	1.67					0.899	0.899
	17	6.51			1.436		2.785	4.221
	18	1.34					0.117	0.117
	19	4.60					0.107	0.107
	20	2.04					0.478	0.478
	21	2.04					2.036	2.036
	22	1.90				1.684	0.248	1.932
	23	4.26	0.150				4.106	4.256
	24	2.83					1.307	1.307
	25	3.83			3.777		0.049	3.826
LEGEND		80.37	2.08	0.00	7.60	4.31	22.92	36.90
FPLE: FLOOD PROTECTION LEVEE EASEMENT (PERMANENT)								
CIE: CHANNEL IMPROVEMENT EASEMENT (PERMANENT)								
TWAE: TEMPORARY WORK AREA EASEMENT (i.e., Vegetation, Staging, Construction)								
Total TWAE Acres=						11.91		

5. LERRDS OWNED BY THE NFS AND CREDITING

Credit will only be applied to LERRDs owned and/or held by the SCVWD that falls within the “project footprint,” namely the LERRDs required for the NED Plan. Lands outside of the project requirements and that may be acquired for the sponsor’s own purposes which do not support the minimum interests necessary to construct, operate and maintain the Project would not be creditable LERRDs. Only land deemed necessary to construct, operate and maintain the NED would be creditable. The value of potentially creditable lands owned by the SCVWD are included in the Project cost estimate.

Corps policy prescribes that credit will not be afforded for lands purchased with Federal funds or grants where the granting of such credit is not permissible, whether as prescribed by statute, or as determined by the head of the Federal agency. The Federal Emergency Management Agency (FEMA’s) floodplain hazard mitigation and elimination grants are examples of such Federal grant programs where credit would not be allocated.

Project Alternative	Number of Parcels Owned by the NFS	Acreage Owned by NFS
2A/d	5	15.88

The SCVWD owns an estimated 5 parcels (constituting approximately 15.88 acres of the total acreage required for the project) in fee title. These 5 fee title parcels (identified in the tract register and above) are assumed sufficient to support project purposes/functions, and no inconsistent encumbrances and/or restrictions on said land is anticipated. At this time, sufficiency of the 6.73 acres of remaining estates and real property rights held by the SCVD, and identified as available to support project purposes/functions in the track registers, is unknown. The potential impact to project costs and/or plan selection as a consequence of this uncertainty is minimal inasmuch as the real estate cost estimate conservatively estimates the unit costs for the estates required for project purposes and includes \$2,106,000 incremental and improvement contingencies for various unknowns including severance damages, unknowns for level of study definition, unforeseen aspects due to inaccessibility and lack of onsite inspections, cost/value increases from time and development pressure, negotiation latitude above fair market value, potential for excessive cost/awards, potential for unknowns natural resources or minerals, improvement/building contingencies. Accordingly, this contingency assessment should reduce risk and cause no impact to plan selection.

The SCVWD has the legal capability to provide the lands required for the NED Plan as stated in SCVWD’s Non-Federal Partners Real Estate Acquisition and Capability Assessment, as reflected in Section 22 of this REP.

6. STANDARD ESTATES AND NON-STANDARD ESTATES

Non-standard estates are not anticipated for implementation of the NED Plan. The SCVWD will acquire the minimum interests in real estate to support the construction and subsequent operation and maintenance of the NED Plan and these standard estates are identified as follows:

Channel Improvement Easement (CIE):

A perpetual and assignable right and easement to construct, operate, and maintain channel improvement works on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____) for the purposes as authorized by the Act of Congress approved _____, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, buildings, improvements and/or other obstructions therefrom; to excavate: dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Flood Protection Levee Easement (FPLE)

A perpetual and assignable right and easement in (the land described in Schedule A) (Tracts Nos. _____, _____ and _____) to construct, maintain, repair, operate, patrol and replace a flood protection (levee) (floodwall)(gate closure) (sandbag closure), including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Temporary Work Area Easement (TWAE):

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____), for a period not to exceed twenty-four months, beginning with date possession of the land is granted to the United State and the Santa Clara Valley Water District for use by the United States, and the Santa Clara Valley Water District its representatives, agents, and contractors as a (borrow area) (work area), including the right to (borrow and/or deposit fill, spoil and waste material thereon) (move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Berryessa Creek Element of the Coyote and Berryessa Creeks Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

7. DESCRIPTION OF ANY EXISTING FEDERAL PROJECTS IN OR PARTIALLY IN THE PROPOSED PROJECT.

There are no existing federal projects located within or partially within in the proposed area for implementation of the NED Plan.

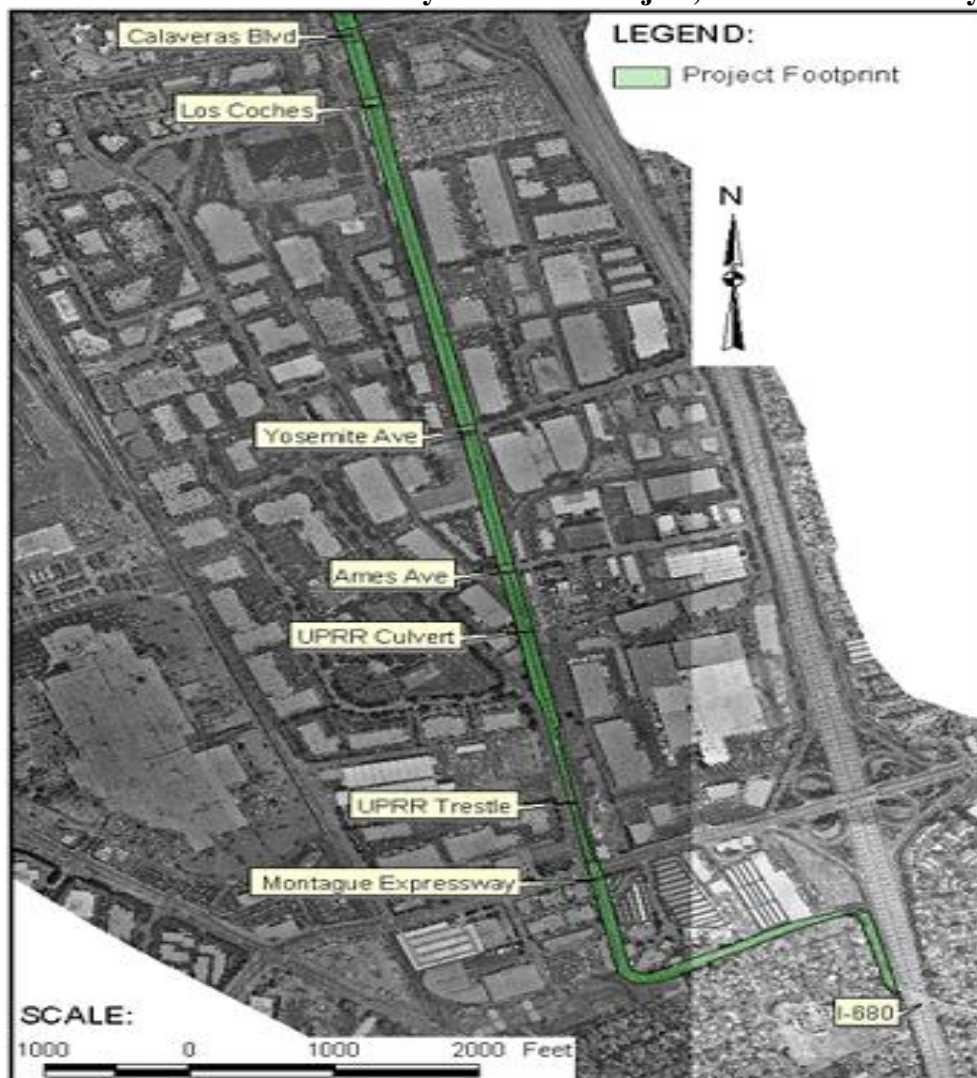
8. DESCRIPTION OF ANY FEDERALLY OWNED LAND NEEDED FOR THE PROJECT

Based on electronic records search, there are no currently owned or formerly owned federal properties located within the Project area that are required for implementation of the NED Plan.

9. APPLICATION OF NAVIGATIONAL SERVITUDE TO THE LERRD'S REQUIREMENTS

No property required for the implementation of the NED Plan is located within the navigational servitude.

10. PROJECT MAP – Berryessa Creek Project, Santa Clara County, California



11. ANTICIPATED INCREASED FLOODING AND IMPACTS

While a formal interior/induced flooding analysis was not completed for this feasibility effort, HEC-RAS and FLO-2D model results from the Existing Conditions and Selected Plan (Alt 2A) alternatives were reviewed by Hydraulic Analysis Section, Sacramento

District, USACE (Hydraulic Analysis) to investigate the possibility of the selected plan inducing flooding elsewhere in the project area.

Hydraulic Analysis review suggests that the potential exists for new floodwall construction to impede local drainage to the creek; however measures such as flap-gated culverts will likely need to be incorporated to minimize and potentially eliminate this impact. Current modeling efforts do not include enough information to develop accurate depth data in potentially impacted areas, however, HEC-RAS hydrographic data suggests that the creek would only be high enough to potentially impede flow through culverts incorporating measures such as those identified above in instances of high tailwater for a duration that is on the order of 1 to 3 hours for large storm events (approximately equal to the 1% Annual Chance Exceedance event and less frequent events). More frequent events could still see interior drainage issues, but they would not be likely to be impacted by high creek tailwater.

A review of HEC-RAS maximum water surface profiles does not show direct potential for induced flooding. Maximum water surface elevations at the upstream end of the model are not impacted by the selected plan design and those downstream of the project, while they do increase, do not rise high enough to spill over the banks of the downstream channel.

A review of the floodplain data (Figures 3-14, 3-15, 6-1 and 6-2 as well as Tables 3-13, 3-14, 6-1 and 6-2 of the Floodplain Development Appendix) shows only a reduction in floodplain extent generated by the FLO-2D modeling and mapping.

In conclusion, implementation of the tentatively selected plan consistent with the suggested design refinements will likely reduce and possibly eliminate any induced flooding.

Based on the foregoing, significant induced flooding is not presently anticipated as a consequence of implementation of the tentatively selected plan. In the event that detailed H&H modeling later yields contrary results (which appears unlikely), District Real Estate finds that any potential acquisitions would be covered by existing real estate cost contingencies.

12. BASELINE COST ESTIMATE

ALTERNATIVE 2A/d (NED Plan)

The real estate baseline cost was established by a gross appraisal prepared by the Sacramento District Appraisal Branch, Real Estate Division with a date value of October 2012. A breakdown of the cost estimates for LERRDs is included in Exhibit A attached.

The approximate real estate costs for the NED Plan are as follows:

NED Alternative 2A/d	Acres	Costs	Incremental Real Estate Costs	Total Costs Rounded
MCACES 01 ACCOUNT - LANDS AND DAMAGES (Non Fed)				
Lands and Damages	36.91	\$7,020,000	\$2,808,000 (40%)	\$9,828,000
NED Alternative 2A/d	Acres	Costs	Incremental Real Estate Costs	Total Costs Rounded
Non Fed Admin		\$930,000	\$46,500 (5%)	\$977,000
Non-Fed TOTAL				\$10,805,000
MCACES 01 ACCOUNT - LANDS AND DAMAGES (Fed)				
Federal Admin *		\$320,000		\$320,000
MCACES 01 ACCOUNT –TOTALS (Fed & Non Fed)		\$8,270,000	\$2,855,000 (35%)	\$11,125,000
MCACES 02 ACCOUNT - RELOCATIONS (Non Fed)				
Relocation Construction		\$1,391,000	\$319,000 (23%)	\$1,710,000
PED Relocations		\$236,000	\$20,000 (8%)	\$256,000
Construction Management		\$161,000	\$10,000 (6%)	\$171,000
TOTAL RELOCATIONS				\$2,137,000
TOTAL LERRDS COSTS				\$13,262,000

The costs associated with PED and Construction Management for relocation work has been added to the above table to be consistent with the Total Project Cost Summary in the main document and civil design appendix.

- No contingencies have been applied to the Fed. Admin Costs of \$320,000. Scoping, duration and costs of this effort include sufficient float to mitigate risk. This is a low risk item not requiring contingencies.

13. RELOCATION ASSISTANCE BENEFITS

The SCVWD must comply with the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 *et seq.* (P.L. 91-646, “the Uniform Act”) and provide relocation assistance to qualifying residences and businesses within the project area that are displaced, as defined in the Uniform Act, as a consequence of project implementation. Presently, no displacements are anticipated as a consequence of implementation of the NED Plan.

14. MINERAL/TIMBER INTERESTS

There are no identified mineral or timber activities in the Project area.

15. NON-FEDERAL SPONSOR'S ABILITY TO ACQUIRE

The Santa Clara Valley Water District (SCVWD) has the authority to acquire and condemn properties. The staff is capable of fulfilling its' responsibilities as a non-federal Sponsor.

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? **YES**
- b. Does the sponsor have the power of eminent domain for this project? **YES**
- c. Does the sponsor have "quick-take" authority for this project? **YES**
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? **NO**
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn?

The sponsor was asked to verify that they currently have rights to the County of Santa Clara lands that run under the bridge crossings of the project. There could be an issue regarding condemnation rights of County property.

The water district stated in an email response dated 17 October, 2013:

"The court would have to determine whether the District has the right to condemn county property or any other public property based on which public entity has the highest public purposes for the property."

A determination will be made during PED and before execution of the Project Partnership Agreement whether the SCVWD has successfully negotiated with the County of Santa Clara (County) for the project's acquisition needs from the County or whether the SCVWD is possessed of sufficient facts to legally demonstrate the priority of public purposes and/or use necessary to initiate condemnation and gain possession consistent with the project acquisition schedule. In the event that the SCVWD is unsuccessful in its negotiations or is not in a position to initiate condemnation, the SCVWD will ask the USACE to enter into a Memorandum of Agreement for the Government to perform any condemnation of County property on its behalf and at the expense of the SCVWD.

16. ZONING ANTICIPATED IN LIEU OF ACQUISITIONS

There are no zoning modifications anticipated in connection with implementation of the NED Plan.

17. ACQUISITION SCHEDULE

The acquisition schedule tasks are estimated based on the pre construction schedule dated December, 2012. This schedule is for planning purposes only and focuses on the NED Plan. There may be modifications to this schedule depending on the preconstruction dates being met as stated in the existing schedule. ***Note: The non-federal sponsor (NFS) is preparing the design drawings for this project per the execution of the 221 MOU dated 26 June 2013.***

REAL ESTATE ACQUISITION SCHEDULE				
Project Name: Berryessa Creek	COE Start	COE Finish	NFS Start	NFS Finish
Receipt of preliminary drawings from NFS			1 Oct 2014	30 June 2015
Receipt of final drawings from NFS			1 July 2015	30 Sep 2015
Execution of PPA	1 July 2015	30 Sep 2015		
Formal transmittal of final drawings & instruction to acquire LERRDS	1 Oct. 2015	15 Oct 2015		
Conduct landowner meetings	1 Dec 2015	10 Dec 2015		
Prepare/review mapping & legal descriptions	1 Oct 2015	1 Nov 2015		
Obtain/review title evidence			15 NOV 2015	1 FEBR 2016
Conduct negotiations			15 FEBR 2015	15 APRIL 2016
Perform closing			1 MAY 2016	1 JULY 2016
Prepare/review condemnations			1 JULY 2016	1 AUG. 2016
Perform condemnations			15 AUG 2016	15 JULY 2017
Obtain Possession			15 JULY 2017	15 JULY 2017
Complete/review PL 91-646 benefit assistance			N/A	N/A
Conduct/review facility and utility relocations.			1 NOV 2015	1NOV 2016
Certify all necessary LERRDS are available for construction			15 NOV 2017	15 NOV 2017
Prepare and submit credit requests			1 DEC 2016	1 MAR 2018
Review/approve or deny credit requests	1 MAR 2017	1 MAY 2018		
Establish value for creditable LERRDS in F&A cost accounting system	1 MAY 2017	1 MAY 2018		

18. DESCRIPTION OF FACILITY AND UTILITY RELOCATIONS

For cost-shared projects, such as implementation of the NED Plan, the SCVWD has the responsibility to perform or assure the performance of relocations. The term "relocation" as defined in applicable law and regulations, generally means providing a functionally

equivalent facility to the owner of an existing utility, cemetery, highway, or other eligible public facility, and railroad (excluding existing railroad bridges and approaches thereto) when such action is authorized in accordance with applicable legal principles of just compensation. Providing a functionally equivalent facility may take the form of alteration, lowering, raising, protecting in place or replacement (and attendant removal) of the affected facility or part thereof.

Following is an inventory of the utilities/facilities that have been identified as impacted by implementation of the NED Plan and likely requiring relocation. Consistent with USACE regulations, an Attorney's Preliminary Opinion of Compensability ("Preliminary Opinion") was prepared on November 9, 2012 analyzing the compensability of such relocations, and the preliminary conclusions as to compensability are set forth herein.

The Preliminary Opinion was based upon information and data submitted to the Sacramento District Office of Counsel for review as of October 24, 2012.

No new land acquisitions are anticipated for the performance of these relocations. All relocation costs are located in the 02 account of the MCACES. In the event additional land acquisitions are identified and required during PED, it appears that the 23 % 02 Account Relocation Cost Contingency reflected in Section 12 will be adequate to absorb such costs.

The anticipated utility/facility relocations are:

Railroad Bridge Trestle: To construct the triple box culvert, the SCVWD will be required to acquire a TWAE and a CIE from the property owner, Union Pacific Railroad Corporation (UPRC). The triple box culvert will require a CIE real estate right for maintenance and operation. The SCVWD will be responsible for maintaining the box culvert.

There are three storm drain outlets owned by the City of Milpitas that enter into the Berryessa Creek Channel that will be impacted by this project. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. These outlets will be reconstructed at the same location within the proposed trapezoidal channel. Preliminary evidence indicates these storm drain outlets will be compensable utility/facility relocations.

There is one storm drain system owned by the City of San Jose that will be relocated. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. Due to lack of information at this time, it is unknown whether the City of San Jose has a real property interest in this utility/facility. Preliminary evidence indicates the storm drain system is a non-compensable relocation.

There is one underground telecommunications cable owned by Comcast. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. The cable runs parallel to the Berryessa Creek Channel which will be removed during construction but relocated permanently within the channel improvement easement. Due to lack of information at this time, it is unknown whether Comcast has a real property interest in this utility/facility. Preliminary evidence indicates the cable is a non-compensable relocation.

There is one overhead telephone line owned by AT&T that will be relocated. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the overheard telephone line will be compensable utility/facility relocation.

There are ten underground electrical conduits owned by PG&E that will be relocated. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the electrical conduits will be compensable utility/facility relocations.

There are four sanitary sewer systems owned by the City of Milpitas that enter into the Berryessa Creek Channel that will be impacted by this project. The specific station locations are shown in the Utility/Facility Relocation Table in Section 18 of this REP. These outlets will be reconstructed at the same location within the proposed trapezoidal channel. Preliminary evidence indicates these sanitary sewer systems will be compensable utility/facility relocations.

There is one waterline that is owned by the City of Milpitas and lies within the Berryessa Creek Channel that will be impacted by this project. The specific station location is shown in the Utility/Facility Relocation Table in Section 18 of this REP. Preliminary evidence indicates the waterline will be compensable utility/facility relocation.

Utility/Facility Relocation Table

Utility/Facility Relocations					
Project Area Location	Station Location	Type	Utility/Facility Owner	Compensable Interest Yes or No	Cost
I-680 to Montague - Channel					
Reach 2	Sta 233+00	Electrical	PG&E	Yes	\$13,400
Reach 2	Sta 226+00	Storm Drain System	City of San Jose	No	
Reach 2	Sta 222+00 to 222+60	Electrical	PG&E	Yes	\$18,200
Reach 2	Sta 211+80 to 214+60	Electrical	PG&E	Yes	\$29,100
Montague to UPRR Trestle – Channel					
Reach 4	Sta 208+40	Electrical	PG&E	Yes	\$11,600
Reach 6	Sta 205+80	Electrical	PG&E	Yes	\$13,200
Reach 6	Sta 197+60	Electrical	PG&E	Yes	\$12,100
UPRR Culvert to Ames – Channel					
Reach 8	Sta 183+00	Waterline	City of Milpitas	Yes	\$22,800
Ames to Yosemite – Channel					
Reach 10	Sta 181+20 to 181+80	Electrical	PG&E	Yes	\$22,900

Utility/Facility Relocations					
Project Area Location	Station Location	Type	Utility/Facility Owner	Compensable Interest Yes or No	Cost
Yosemite to Los Coches – Channel					
Reach 12	Sta 159+00 to 160+00	Telephone Conduit	AT&T	Yes	\$32,000
Reach 12	Sta 154+00	Storm Drain Outlet	City of Milpitas	Yes	\$22,800
Reach 12	Sta 153+80	Sanitary Sewer System	City of Milpitas	Yes	\$15,700
Reach 12	Sta 151+00	Electrical	PG&E	Yes	\$24,700
Reach 12	Sta 149+20 to 151+00	Electrical	PG&E	Yes	\$77,800
Reach 12	Sta 142+40	Sanitary Sewer System	City of Milpitas	Yes	\$17,800
Reach 12	Sta 138+60 to 143+70	Electrical	PG&E	Yes	\$55,000
Los Coches to Calaveras - Channel					
Reach 14	Sta 137+20	Sanitary Sewer System	City of Milpitas	Yes	\$15,700
Reach 14	Sta 137+00	Storm Drain Outlet	City of Milpitas	Yes	\$12,400
Reach 14	Sta 137+00	Telecom Cable	Comcast	No	
Reach 14	Sta 134+80	Sanitary Sewer System	City of Milpitas	Yes	\$6,500
Reach 14	Sta 133+50	Storm Drain Outlet	City of Milpitas	Yes	\$24,000
Reach 14	Sta 132+00 to 138+00	Electrical	PG&E	Yes	\$88,100
Reach 14	Sta 131+60 to 182+40	Sanitary Sewer System	City of Milpitas	Yes	\$855,300
			TOTAL COST		\$1,391,000

ANY CONCLUSION OR CATEGORIZATION CONTAINED IN THIS REPORT THAT AN ITEM IS A UTILITY OR FACILITY RELOCATION TO BE PERFORMED BY THE NON-FEDERAL SPONSOR AS PART OF ITS LERRD RESPONSIBILITIES IS PRELIMINARY ONLY. THE GOVERNMENT WILL MAKE A FINAL DETERMINATION OF THE RELOCATIONS NECESSARY FOR THE CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE PROJECT AFTER FURTHER ANALYSIS AND COMPLETION AND APPROVAL OF FINAL ATTORNEY’S OPINIONS OF COMPENSABILITY FOR EACH OF THE IMPACTED UTILITIES AND FACILITIES.

19. STATEMENT THAT THE NON-FEDERAL SPONSOR HAS BEEN NOTIFIED IN WRITING ABOUT THE RISKS ASSOCIATED WITH ACQUIRING LAND FOR THIS PROPOSED PROJECT.

An acquisition risk letter was sent to the SCVWD on June 24, 2013.

20. HAZARDOUS, TOXIC, AND RADIOLOGICAL WASTE IMPACTS

There are three HTRW sites of concern within the study area that are potentially impacted by implementation of the NED Plan: Jones Chemical Company, Great Western Chemical Company, and a Shell gas station. These sites contain plumes of contaminated groundwater. Depending on the site, the plumes contain either MTBE, VOC or PAH. The ongoing remediation efforts may not successfully contain or treat the groundwater plumes; consequently, groundwater contamination potentially could migrate into the study area underneath Berryessa Creek. If contaminated groundwater intersects Berryessa Creek and further spreads contamination to subsurface soils or surface water, then excavation of the channel could potentially expose contaminated soils and create a hazard to construction workers, the public, or the environment. These effects could potentially be significant.

Project-related construction and maintenance activities would involve the use of potentially hazardous materials, such as fuels (gasoline and diesel), oils and lubricants, and cleaners (e.g., solvents, corrosives, soaps, detergents), which are commonly used in construction projects. During construction, accidental spills could occur, although minor spills are not likely to have significant effects. Accidental spills would be avoided or minimized through the implementation of a Spill Prevention and Response Plan.

Compliance with the applicable regulations would reduce the potential for accidental release of hazardous materials during their transport and during project construction activities. Consequently, the risk of significant hazards associated with the transport, use, and disposal of these materials is low.

21. ATTITUDE OF LANDOWNERS

During previous public meetings, landowners were supportive of the project.

22. ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE ACQUISITION CAPABILITY

BERRYESSA FLOOD RISK REDUCTION STUDY (July 2012)

SPONSOR: Santa Clara Valley Water District

(Sponsor's answers to Assessment indicated below in BOLD)

I. Legal Authority: **District Act – Santa Clara Valley Water District**

a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? **Yes.**

b. Does the sponsor have the power of eminent domain for this project? **Yes**, but see Section 15 of the REP with regard to County of Santa Clara property.

c. Does the sponsor have "quick-take" authority for this project? **Yes. The District has the power of eminent domain.**

d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? **No.**

e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? **See section 15.e. above.**

II. Human Resource Requirements:

a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? **No**

b. If the answer to II. a. is "yes," has a reasonable plan been developed to provide such training?
N/A

c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? **Yes.**

d. Is the sponsor's project in-house staffing level sufficient considering its other workload, if any, and the project schedule? **Yes**

e. Can the sponsor obtain contractor support, if required, in a timely fashion? **Yes**

f. Will the sponsor likely request USACE assistance in acquiring real estate? **No**

III.. Other Project Variables:

a. Will the sponsor's staff be located within reasonable proximity to the project site? **Yes.**

b. Has the sponsor approved the project real estate schedule/milestones? **Yes**

IV. Overall Assessment:

a. Has the sponsor performed satisfactorily on other USACE projects? **Yes**

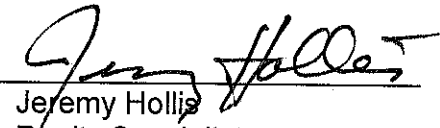
b. With regard to this project, the sponsor is anticipated to be Santa Clara Valley Water District.
Yes.

V. Coordination:

Has this assessment been coordinated with the sponsor? **Yes**

VI. Does the sponsor concur with this assessment? **Yes**

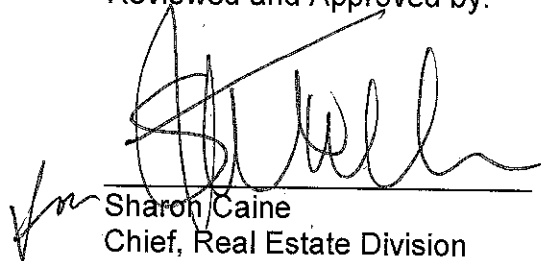
Prepared by:



Jeremy Hollis
Realty Specialist
Acquisition & Management Branch

Date 11-Dec-2013

Reviewed and Approved by:

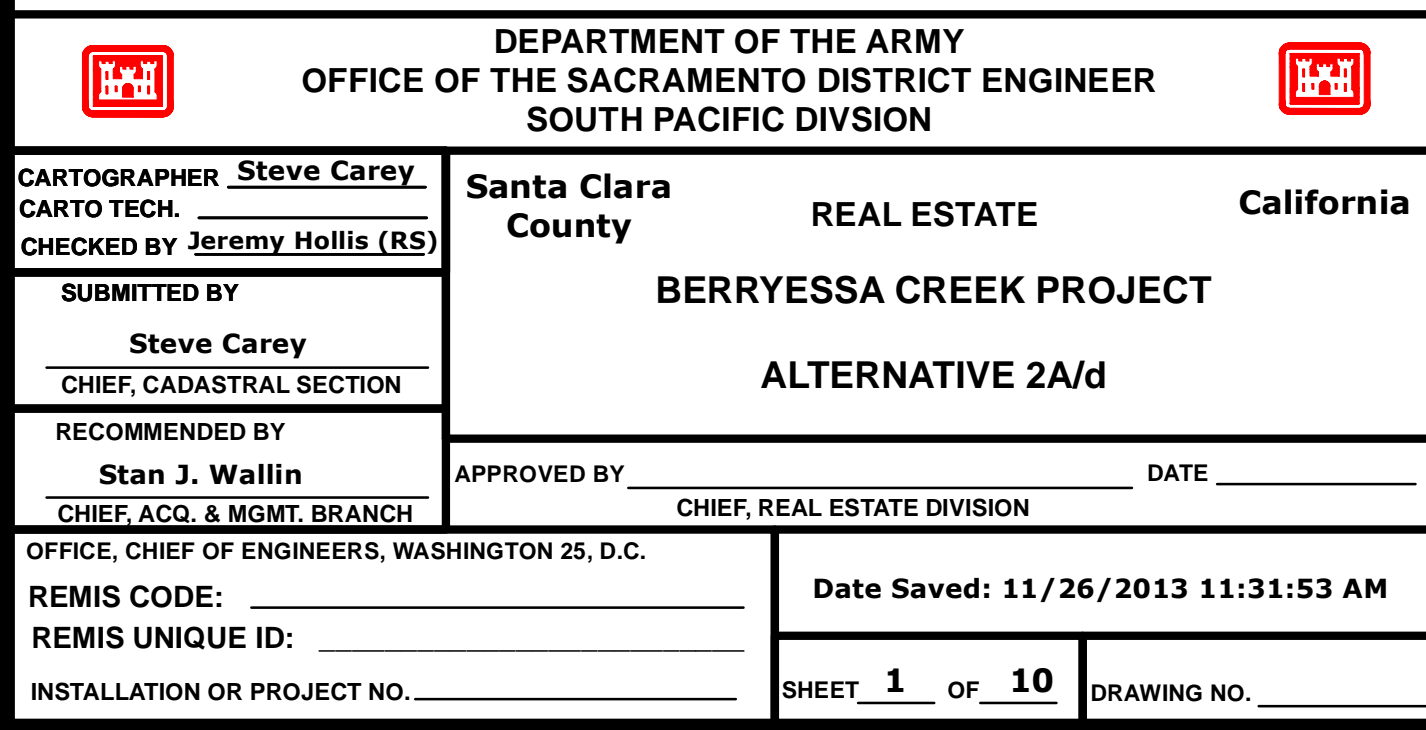


Sharon Caine
Chief, Real Estate Division

Date 11 DEC 2013

EXHIBIT A

(MAPS AND TRACT REGISTER AND ALTERNATIVE 2A/d OVERVIEW)





Special notes:

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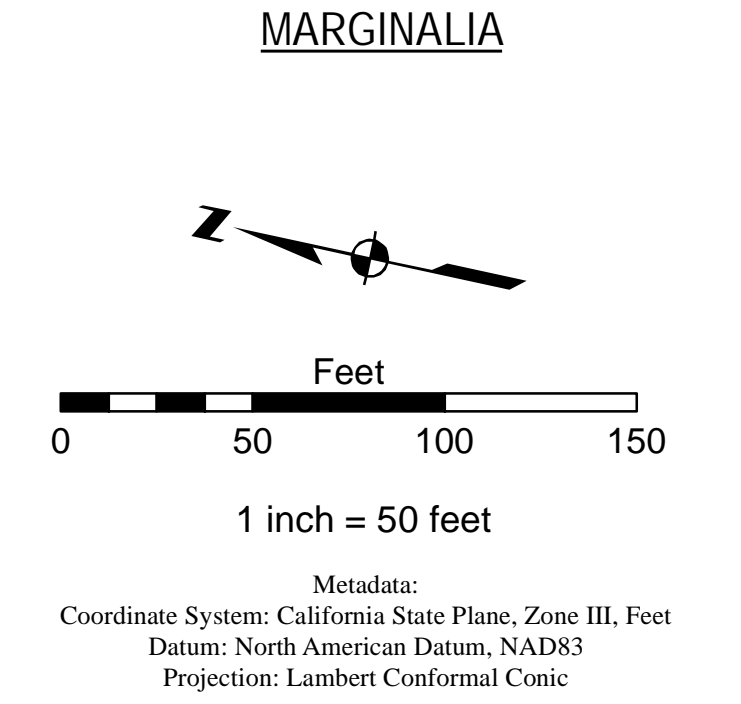
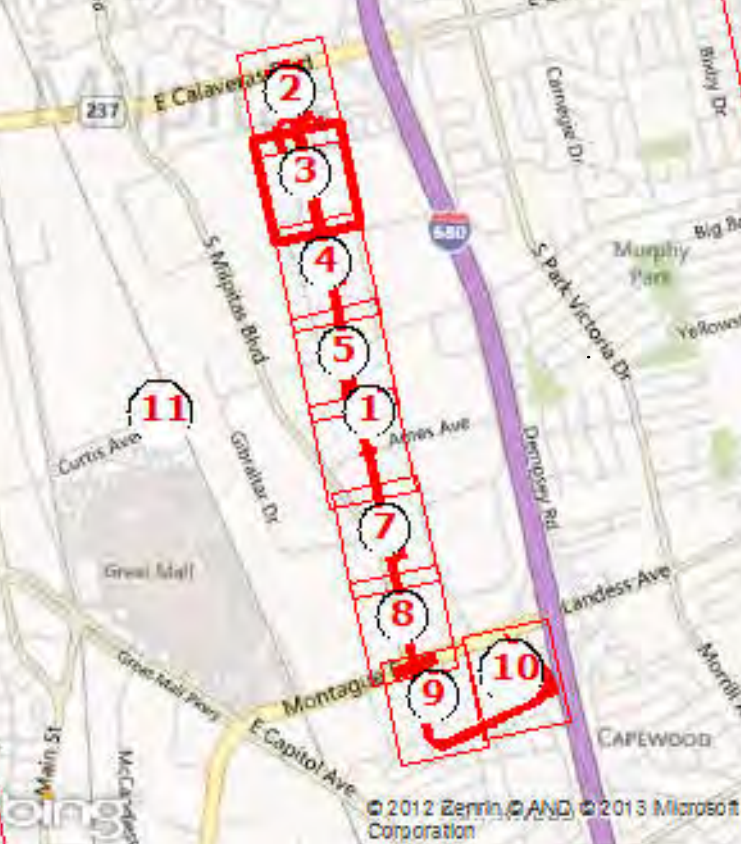
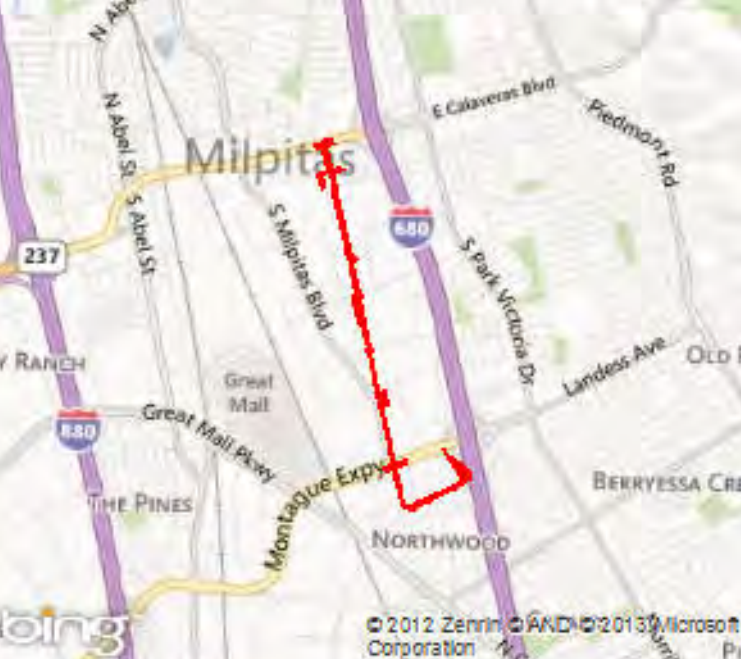
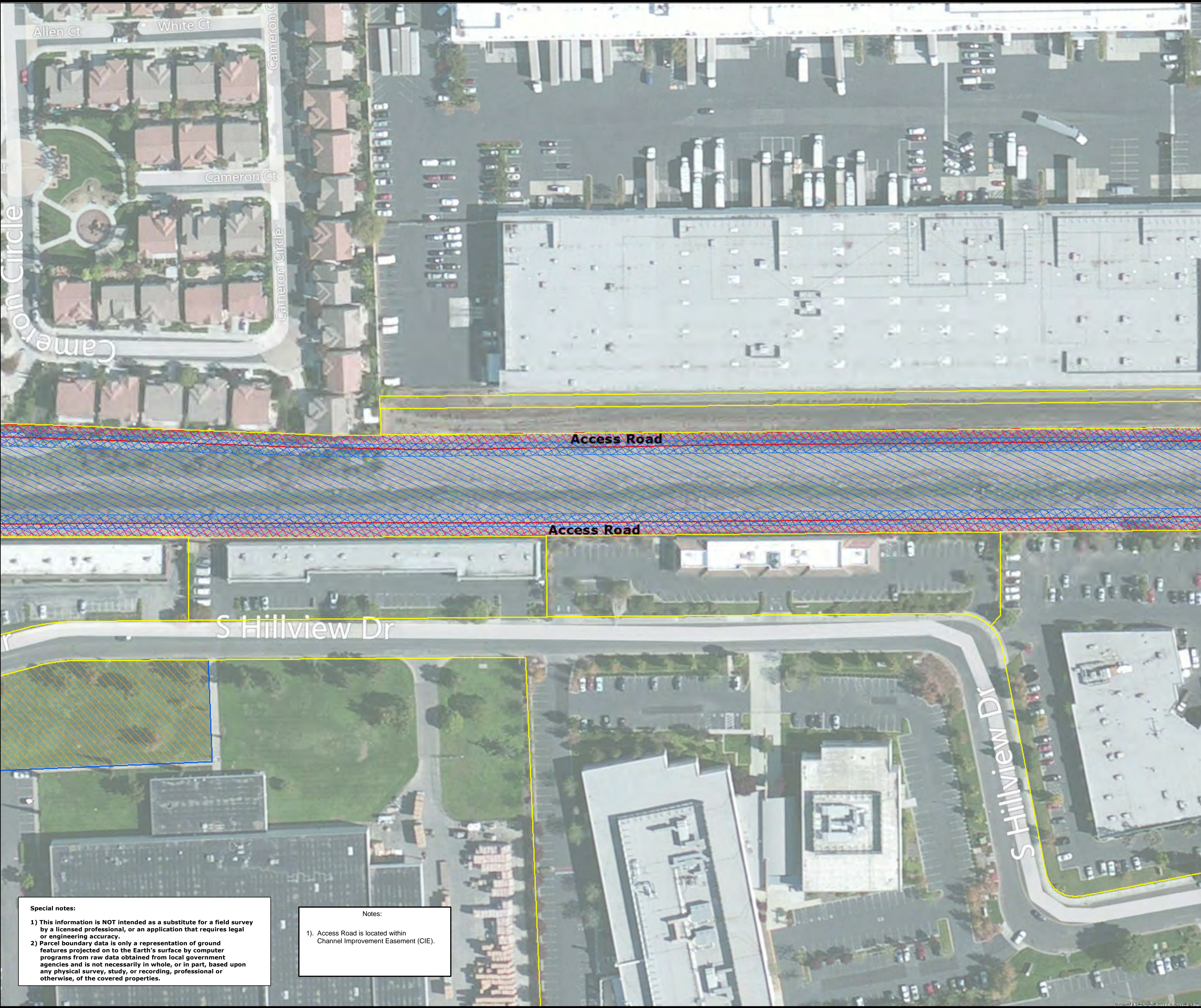
Notes:

1). Access Road is located within Channel Improvement Easement (CIE).

	DEPARTMENT OF THE ARMY OFFICE OF THE SACRAMENTO DISTRICT ENGINEER SOUTH PACIFIC DIVISION					
CARTOGRAPHER <u>Steve Carey</u> CARTO TECH. _____ CHECKED BY <u>Jeremy Hollis (RS)</u> SUBMITTED BY <u>Steve Carey</u> CHIEF, CADASTRAL SECTION RECOMMENDED BY <u>Stan J. Wallin</u> CHIEF, ACQ. & MGMT. BRANCH	Sanita Clara County REAL ESTATE BERRYESSA CREEK PROJECT ALTERNATIVE 2A/d	California				
OFFICE, CHIEF OF ENGINEERS, WASHINGTON 25, D.C.						
REQUIS CODE: _____ REQUIS UNIQUE ID: _____ INSTALLATION OR PROJECT NO. _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"> Date Saved: 11/26/2013 11:31:53 AM </td> </tr> <tr> <td style="width: 50%; text-align: center;"> SHEET <u>2</u> OF <u>10</u> </td> <td style="width: 50%; text-align: center;"> DRAWING NO. _____ </td> </tr> </table>		Date Saved: 11/26/2013 11:31:53 AM		SHEET <u>2</u> OF <u>10</u>	DRAWING NO. _____
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ACQUISITION AUTHORIZATION

Estates were established using Engineering Divisions:
Contract Engineer's drawing: Tetra Tech, Inc.
Berryessa Creek Project General Reevaluation Study
Alternative Formulation: Alternative 2A/d, dtd 22 DEC 2011
File Name: BER_PP_G-XX

Final Map on October 24, 2013.
Created on April 25, 2011.
Updated July 01, 2013.
Updated August 27, 2013.

FINAL
As Applicable

PROJECT MAP

DEPARTMENT OF THE _____
USING SERVICE _____

LOCATION OF PROJECT

STATE _____
COUNTY _____
DIVISION _____
DISTRICT _____
ARMY AREA _____
OF _____
OF _____

TRANSPORTATION FACILITIES

RAILROADS _____
STATE ROADS _____
FEDERAL ROADS _____
AIRPORTS _____

ACQUISITION

TOTAL ACRES ACQUIRED _____
FEE _____
PUBLIC DOMAIN (WITHDRAWN / USE PERMIT)
USE PERMIT (Other than P.D.)
TRANSFER (WITHDRAWN / USE PERMIT)
LEASE _____
EASEMENT RESERVED IN FEE DISPOSAL _____
LESSER INTERESTS (EASEMENT / PERMIT / LICENSE)

DISPOSAL

TOTAL ACRES DISPOSED _____
SOLD _____
PUBLIC DOMAIN (WITHDRAWN / USE PERMIT)
USE PERMIT (Other than P.D.)
TRANSFERRED (FEE)
LEASES TERMINATED _____
LESSER INTERESTS TERM _____
REASSIGNED _____
ACRES TO _____

LEGEND

EXCEPT FOR SPECIAL SYMBOLS SHOWN BELOW, MAP SYMBOLS ARE STANDARD IN U.S. ARMY FIELD MANUAL, FM 21-31, TOPOGRAPHIC SYMBOLS, DEC. 1968.

Flood Protection Levee Easement

Channel Improvement Easement

Temporary Staging Area

Temporary Construction Easement

Access_Road_2A

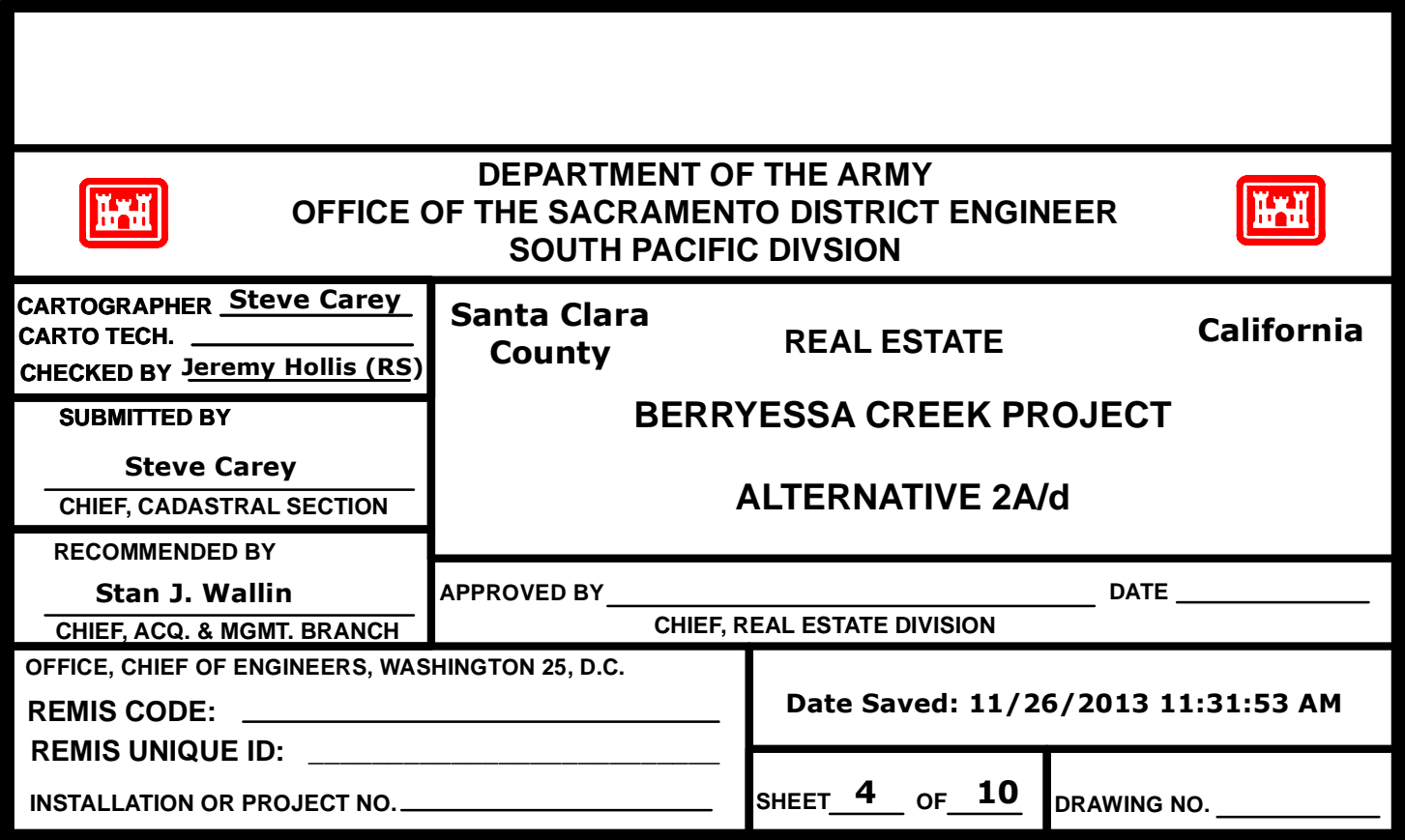
Parcel_Boundary with APN

Special notes:

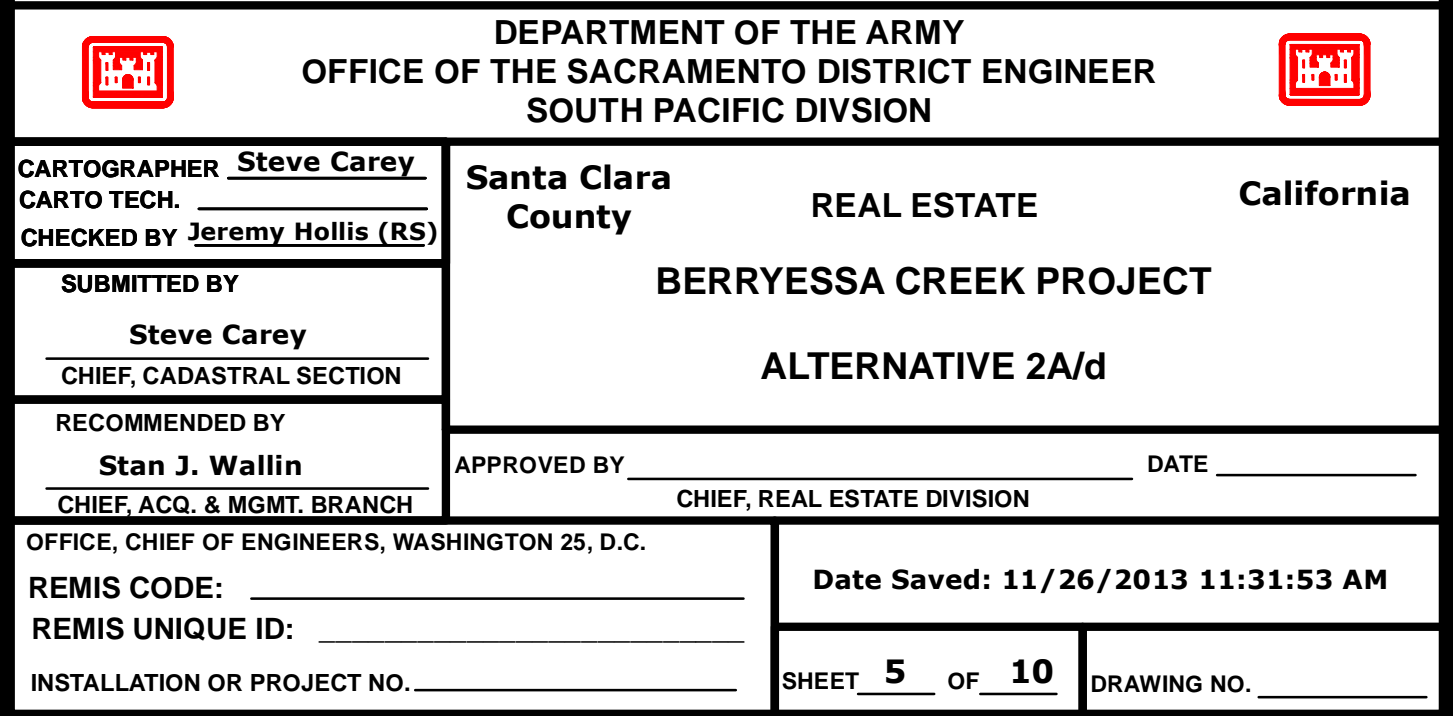
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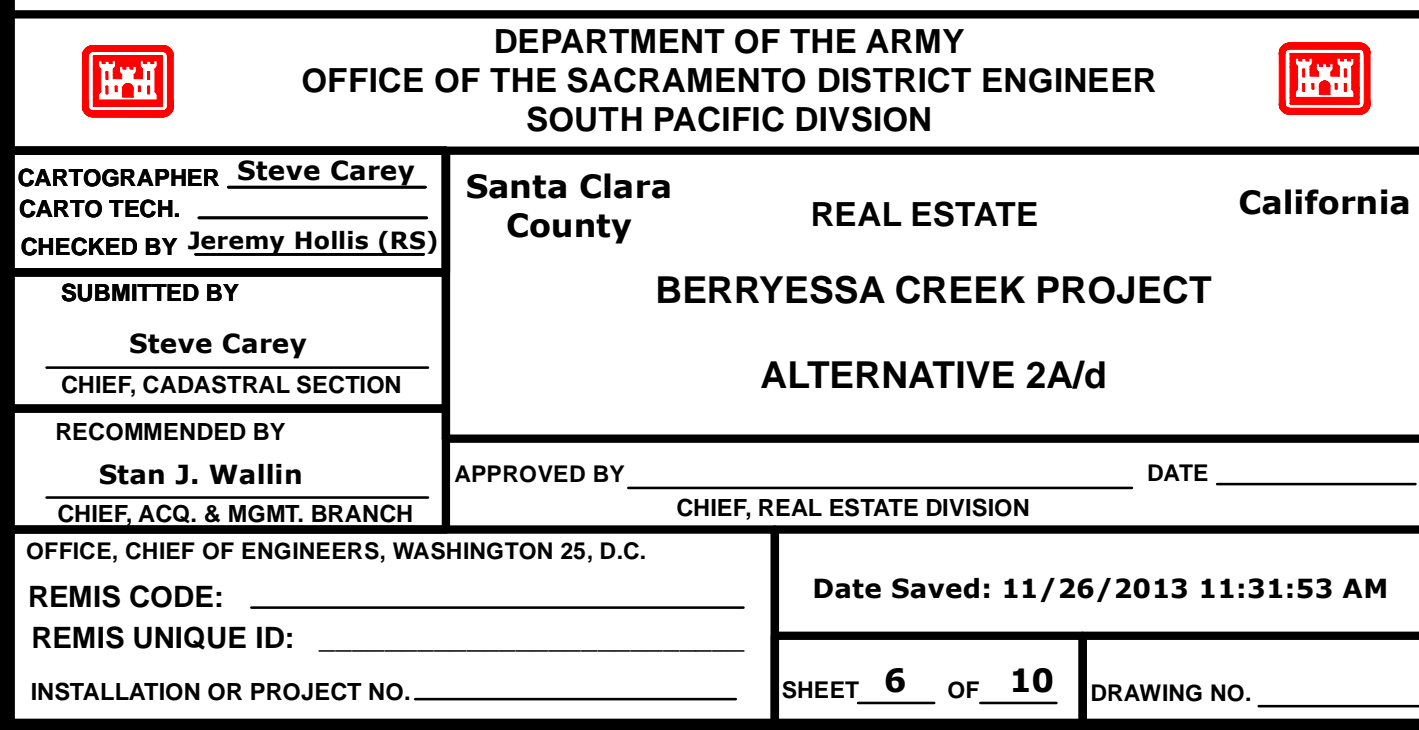
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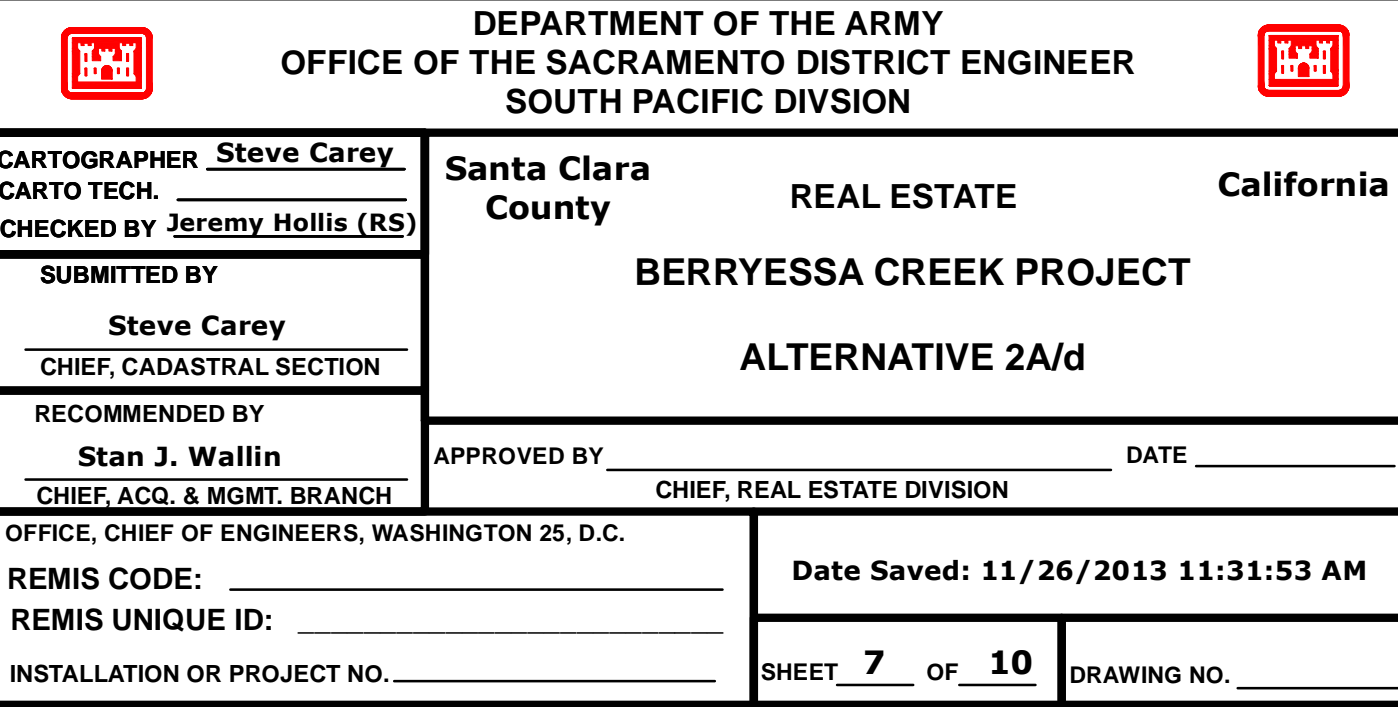


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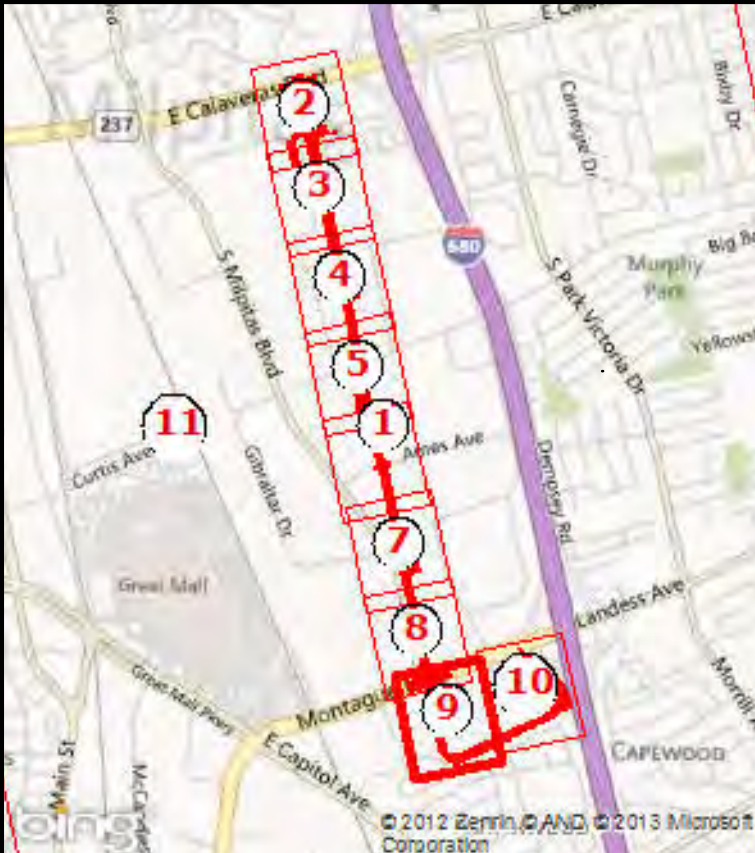
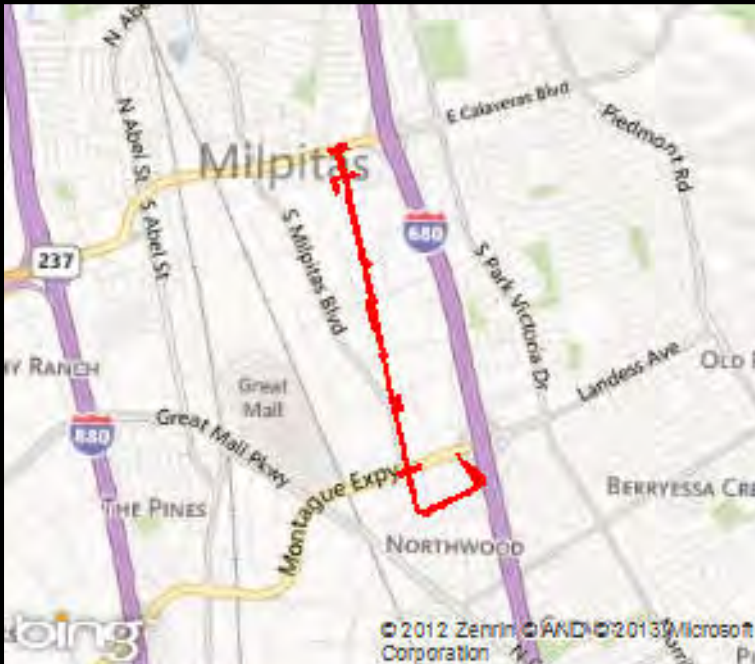
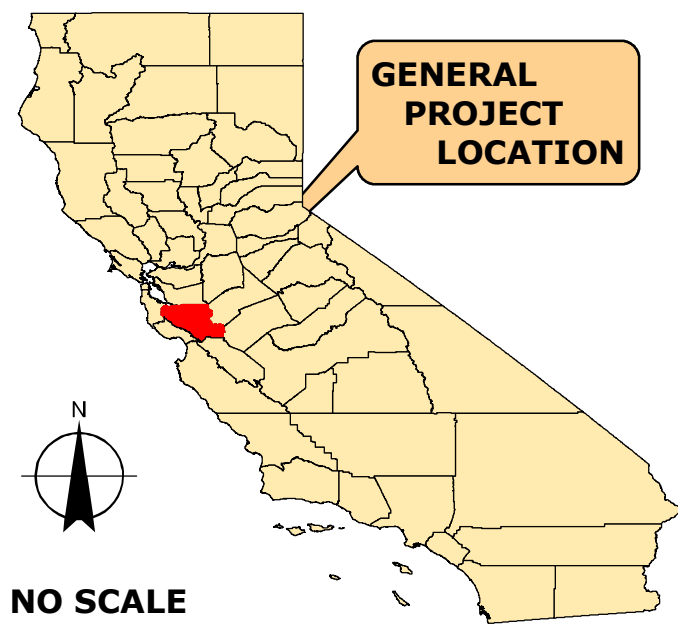
DEPARTMENT OF THE ARMY OFFICE OF THE SACRAMENTO DISTRICT ENGINEER SOUTH PACIFIC DIVISION	
CARTOGRAPHER <u>Steve Carey</u> CARTO TECH. _____ CHECKED BY <u>Jeremy Hollis (RS)</u> SUBMITTED BY <u>Steve Carey</u> CHIEF, CADASTRAL SECTION RECOMMENDED BY <u>Stan J. Wallin</u> CHIEF, ACQ. & MGMT. BRANCH	Santa Clara REAL ESTATE California County BERRYESSA CREEK PROJECT ALTERNATIVE 2A/d
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Special notes:

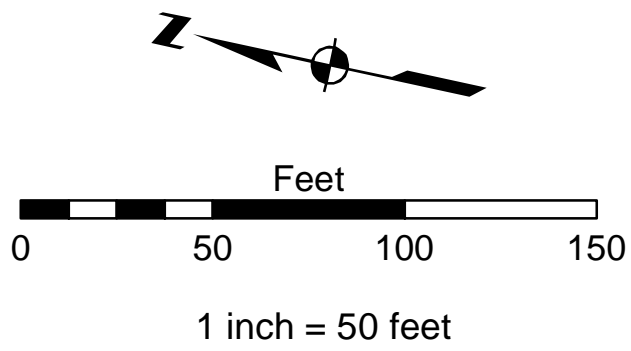
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Notes:

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MARGINALIA



Metadata:
Coordinate System: California State Plane, Zone III, Feet
Datum: North American Datum, NAD83
Projection: Lambert Conformal Conic

ACQUISITION AUTHORIZATION

Estates were established using Engineering Divisions:
Contract Engineer's drawing: Tetra Tech, Inc.
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FINAL
As Applicable

PROJECT MAP

DEPARTMENT OF THE _____
USING SERVICE _____

LOCATION OF PROJECT

STATE _____
COUNTY _____
DIVISION _____
DISTRICT _____
ARMY AREA _____
_____ OF _____
_____ OF _____

TRANSPORTATION FACILITIES

RAILROADS _____
STATE ROADS _____
FEDERAL ROADS _____
AIRPORTS _____

ACQUISITION

TOTAL ACRES ACQUIRED _____
 FEE _____
 PUBLIC DOMAIN { WITHDRAWN _____
 { USE PERMIT _____
 USE PERMIT (Other than P.D.) _____
 TRANSFER { WITHDRAWN _____
 { USE PERMIT _____

SE

**EASEMENT RESERVED
IN FEE DISPOSAL**







LESSER INTERESTS { EASEMENT
PERMIT
LICENSE

DISPOSAL

TOTAL ACRES DISPOSED _____
SOLD _____
PUBLIC DOMAIN { WITHDRAWN
USE PERMIT
USE PERMIT (Other than P.D.) _____
TRANSFERRED { FEE
LEASES TERMINATED
LESSER INTERESTS TERM _____
REASSIGNED _____
ACRES TO _____

LEGEND

EXCEPT FOR SPECIAL SYMBOLS SHOWN
BELOW, MAP SYMBOLS ARE STANDARD I
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-  Flood Protection Levee Easement
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-  Parcel_Boundary with APN

DEPARTMENT OF THE ARMY
OFFICE OF THE SACRAMENTO DISTRICT ENGINEER
SOUTH PACIFIC DIVISION

CARTOGRAPHER Steve Carey
CARTO TECH. _____

SUBMITTED BY

Steve Carey

CHIEF, CADASTRAL SECTION

RECOMMENDED BY

Stan J. Wallin

CHIEF, ACQ. & MGMT. BRANCH
OFFICE CHIEF OF ENGINEERS, WA

DEMIS CODE:

REQUIS CODE: _____
REQUIS UNIQUE ID: _____

Santa Clara **REAL ESTATE** **California**
County

BERRYESSA CREEK PROJECT

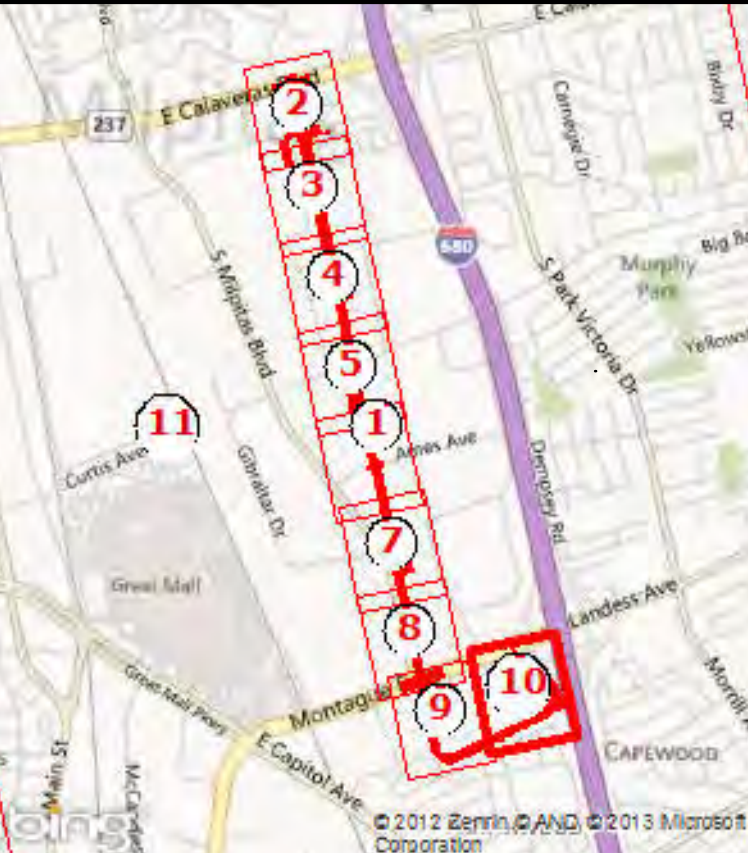
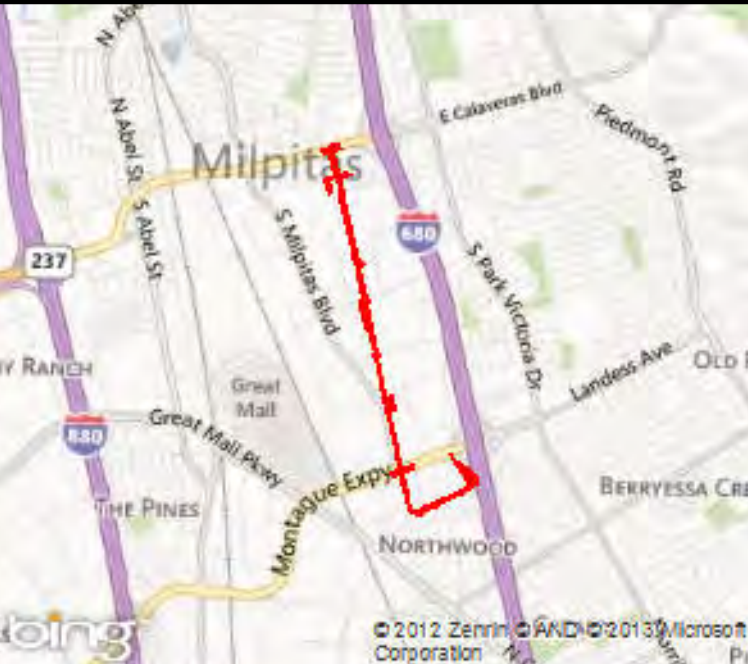
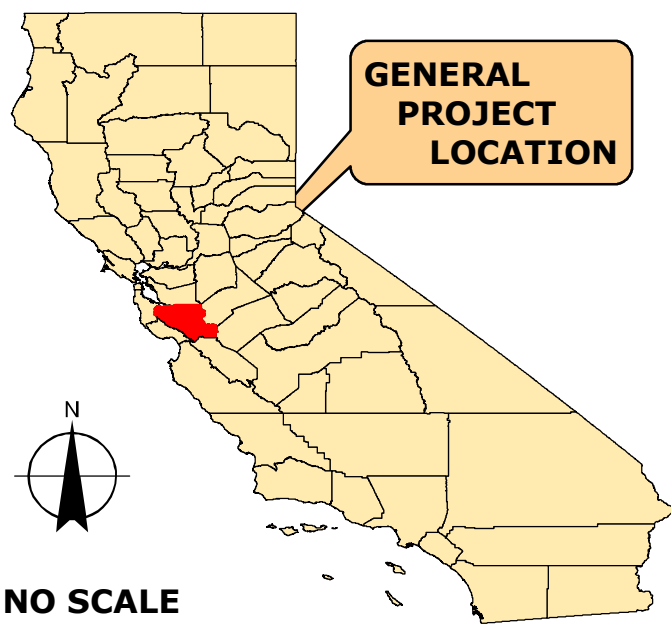
ALTERNATIVE 2A/d

APPROVED BY _____ DATE _____

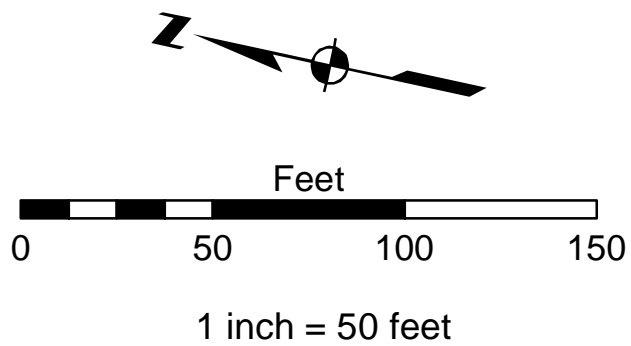
Date Saved: 11/26/2013 11:31:53 AM

ER 405-1-200

Eng_Form 1456A, Oct 81



MARGINALIA



Metadata:
Coordinate System: California State Plane, Zone III, Feet
Datum: North American Datum, NAD83
Projection: Lambert Conformal Conic

ACQUISITION AUTHORIZATION

Estates were established using Engineering Divisions:
Contract Engineer's drawing; Tetra Tech, Inc.
Berryessa Creek Project General Reevaluation Study
Alternative Formulation; Alternative 2A/d, dtd 22 DEC 2011
File Name: BER_PP_C-XX

Final Map on October 24 ,2013
Created on April 25, 2011.
Updated July 01, 2013.
Updated August 27, 2013.

FINAL
As Applicable

PROJECT MAP

DEPARTMENT OF THE _____
USING SERVICE _____

LOCATION OF PROJECT

STATE _____
COUNTY _____
DIVISION _____
DISTRICT _____
ARMY AREA _____
OF _____
OF _____

TRANSPORTATION FACILITIES

RAILROADS _____
STATE ROADS _____
FEDERAL ROADS _____
AIRPORTS _____

ACQUISITION

TOTAL ACRES ACQUIRED _____
 FEE _____
 PUBLIC DOMAIN { WITHDRAWN _____
 USE PERMIT _____
 USE PERMIT (Other than P.D.) _____
 TRANSFER { WITHDRAWN _____
 USE PERMIT _____

PLEASE







EASEMENT RESERVED IN FEE DISPOSAL	
LESSER INTERESTS	EASEMENT
	PERMIT
	LICENSE

DISPOSAL

TOTAL ACRES DISPOSED _____
 SOLD _____
 PUBLIC DOMAIN $\left\{ \begin{array}{l} \text{WITHDRAWN} \\ \text{USE PERMIT} \end{array} \right.$ _____
 USE PERMIT (Other than P.D.) _____
 TRANSFERRED $\left\{ \begin{array}{l} \text{FREE} \\ \text{LEASES TERMINATED} \end{array} \right.$ _____
 LESSER INTERESTS TERM _____
 REASSIGNED _____
 ACRES TO _____

LEGEND

EXCEPT FOR SPECIAL SYMBOLS SHOWN
BELOW, MAP SYMBOLS ARE STANDARD
U.S. ARMY FIELD MANUAL, FM 21-31,
TOPOGRAPHIC SYMBOLS, DEC. 1968.

-  Flood Protection Levee Easement
-  Channel Improvement Easement
-  Temporary Staging Area
-  Temporary Construction Easement
-  Access_Road_2A
-  Parcel_Boundary with APN

Special notes:

- 1) This information is NOT intended as a substitute for a field survey by a licensed professional, or an application that requires legal or engineering accuracy.
- 2) Parcel boundary data is only a representation of ground features projected on to the Earth's surface by computer programs from raw data obtained from local government agencies and not necessarily in whole, or in part, based upon any physical survey, study, or recording, professional or otherwise, of the covered properties.

Notes:

- 1). Access Road is located within Channel Improvement Easement (CIE).

DEPARTMENT OF THE ARMY
OFFICE OF THE SACRAMENTO DISTRICT ENGINEER
SOUTH PACIFIC DIVISION

REAL ESTATE

BERRYESSA CREEK PROJECT

APPROVED BY _____ DATE _____
CHIEF, REAL ESTATE DIVISION

OFFICE, CHIEF OF ENGINEERS, WASHINGTON 25, D.C.

REMIS CODE: _____
REMIS UNIQUE ID: _____

INSTALLATION OR PROJECT NO.

Date Saved: 11/26/2013 11:31:53 AM

SHEET **10** OF **10** | DRAWING NO.

[illegible]